

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Richard L. Cunningham  
SERIAL NO.: 10/803,080 CONFIRMATION No.: 4170  
FILING DATE: March 18, 2004  
TITLE: MEDICAL DEVICE AND PROCEDURE SIMULATION  
EXAMINER: Sim, Yong H.  
ART UNIT: 2629

---

Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICANT'S COMMENTS ON REASONS FOR ALLOWANCE**

These comments are responsive to the Notice of Allowance mailed on October 31, 2008, which sets forth the Examiner's statement of reasons for allowance.

Applicant gratefully acknowledges the indication of allowance of Claims (i.e. claims 1-4, 6-20, 25-27 and 30-33). Applicant respectfully urges that additional and/or alternative reasons for allowance may exist apart from the arguments or remarks made by the Examiner and/or the Applicant during the prosecution of the above captioned case and thus are not limited to those statements. These reasons may each be independently sufficient to establish the patentability of one or more of Claims (i.e. claims 1-4, 6-20, 25-27 and 30-33).

Applicant respectfully reserves the right to introduce, articulate, or otherwise comment on any such additional reasons for allowance as may be appropriate in any future proceedings concerning the one or more claimed embodiments.

Please charge any additional required fee or credit any overpayment to our deposit account number 50-3557.

Respectfully submitted,

NIXON PEABODY LLP



Dated: February 2, 2009

---

David B. Ritchie  
Reg. No. 31,562

NIXON PEABODY LLP  
200 Page Mill Road, 2<sup>nd</sup> Floor  
Palo Alto, CA 94306-2022  
Tel.: 650-320-7743  
Fax: 650-534-8837